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Notice of Allowability

Application No.	Applicant(s)	
10/666,769	MALLORY, KENNETH WAYNE	
Examiner	Art Unit	
Jeffrey L. Gellner	3643	

\	leffered Calleren	2042						
	Jeffrey L. Gellner	3643						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included nerewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.								
1. A This communication is responsive to <u>amendment received</u>	06 December 2004.							
2. ☑ The allowed claim(s) is/are <u>11-14 and 16-20, 28-35</u> .								
3. 🔀 The drawings filed on <u>17 September 2003</u> are accepted by the Examiner.								
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 								
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.								
 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. 								
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date	5. ☐ Notice of Informal F 6. ☑ Interview Summary Paper No./Mail Da 7. ☑ Examiner's Amenda 8. ☑ Examiner's Statema 9. ☐ Other	(PTO-413), te <u>02242005</u> . ment/Comment						
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Art Unit: 3643

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tim Brisson on 18 February 2005.

The application has been amended as follows:

In claim 11, line 13, after "feature" has been added --, wherein said at least one coupling member is configured to promote a sealed union between said first edging component and another edging component, wherein a fluid tight union is formed containing fluid within said conduit and preventing fluid infiltration into said conduit--.

Claim 15 has been deleted.

The following is an examiner's statement of reasons for allowance:

The prior art did not disclose or suggest a landscape edging system comprising a form including at least one conduit disposed in the form, at least one coupling member configured to promote a sealed union between a first edging component and another edging component, wherein a fluid tight union is formed containing fluid within the conduit and preventing fluid infiltration into the conduit; in combination with a first edging component having a body including a base, the base including first and second ends, upper and lower surfaces, and a

plurality of sides forming a container in conjunction with the upper surface of the base; the form disposed on the upper surface of the base within the container; and, at least one coupling member configured to demountably couple with the first edging component proximate one of the ends and the coupling member having a sidewall with a mating portion disposed in the sidewall and an anchoring feature.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey L. Gellner whose phone number is 703.305.0053 (after 4 April 2005 use: 571.272.6887). The Examiner can normally be reached Monday through Thursday from 8:30 am to 4:00 pm. The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Peter Poon, can be reached at 703.308.2574. The official fax telephone number for the Technology Center where this application or proceeding is assigned is 703.872.9306.

Art Unit: 3643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1113.

Jeffrey L. Gellner

Primary Examiner